

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES )  
OF AMERICA )  
)  
)  
)  
V. )  
)  
MATTHEW MARSH, )  
Defendant, )  
\_\_\_\_\_ )

CRIMINAL NO. 05CR 40025 FDS

**MOTION FOR FUNDS FOR TRANSCRIPTS**

The Defendant, by and through his undersigned attorney, respectfully moves this Honorable Court, pursuant to the United States Constitution and the Federal Rules of Criminal Procedure to order the payment of additional fees and costs to court reporter Timothy Willett for copies of the transcript of both the change of plea hearing and sentencing hearing in the defendant's prior 1995 Federal Court Case, docket number 95-CR-10244.

The defendant further requests that this Court order that the Clerk of the Federal District Court provide a certified copy of this motion to defense counsel.

In support of the above I, Alan J. Black, state the following:

1. I was appointed to represent Mr. Marsh in this matter;
2. In preparation of this case, counsel has determined that these costs are necessary.;
3. The prior guilty plea in Federal Court is creating a ten-year mandatory sentence in the above captioned case.
4. Trial counsel is requesting these transcripts to determine whether the guilty plea entered by the defendant was constitutionally valid.
5. If trial counsel determines that the plea was not constitutionally valid then he plans to attack this plea.

6. The Defendant is currently being held at the Plymouth County House of Correction.
7. The defendant contends that the funds he is requesting are reasonably necessary in order to assure that he is able to have as effective a defense as he would have if he were financially able to pay to assure his rights to effective assistance of counsel and to present a defense as guaranteed by the Sixth and Fourteenth Amendments to the United States Constitution.

The above is true to the best of my information and belief and is signed under the pains and penalties of perjury.

Respectfully Submitted,  
By: /s/ Alan J. Black  
ALAN JAY BLACK, His Attorney  
1383 Main Street  
Springfield, MA 01103  
(413) 732-5381  
BBO# 553768

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the Assistant United States Attorney, Lisa Asiaf on this 15<sup>th</sup> day of September 2006.

/s/ Alan J. Black